

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL WAYNE SANCHEZ,

Defendant.

CASE NO. 22-CR-00134-LK

FIFTH ORDER CONTINUING  
SENTENCING

This matter comes before the Court on Defendant Michael Wayne Sanchez’s Motion to Continue Sentencing. Dkt. No. 45. Mr. Sanchez pleaded guilty to one count of Possession of Child Pornography and is currently scheduled for sentencing on September 20, 2023. Dkt. Nos. 13–14, 21, 44. On July 12, 2023, the Court appointed new counsel to represent Mr. Sanchez in the wake of previous counsel’s withdrawal. Dkt. Nos. 40–42. It soon thereafter continued Mr. Sanchez’s sentencing to provide new counsel with more time to review the records and presentencing report, prepare a sentencing memorandum, and prepare for sentencing. Dkt. No. 43 at 2; Dkt. No. 44 at 1.


Counsel now moves for a fifth continuance “to a time mutually convenient [for] the Court and counsel[.]” Dkt. No. 45 at 1. He indicates that previous counsel “neglected” to obtain Mr.

1 Sanchez's treatment records from the Special Commitment Center at McNeil Island, where Mr.  
2 Sanchez was housed for six years pending his civil commitment as a sexually violent predator. *Id.*  
3 at 2. Counsel believes that the McNeil Island treatment records include mental health evaluations  
4 and "information likely to be relevant to the Court's sentencing decision." *Id.* Although counsel  
5 requested these records, he has been informed that they will not be available until the end of this  
6 month. *Id.* More time is therefore needed to obtain and review these records prior to Mr. Sanchez's  
7 sentencing. *Id.* The Government does not object to the requested continuance, and Mr. Sanchez  
8 "concurs" with it. *Id.* at 3.

9 Although the Court generally "must impose sentence without unnecessary delay," it may,  
10 for "good cause," deviate from the time limits prescribed by the Federal Rules of Criminal  
11 Procedure. *See* Fed. R. Crim. P. 32(b); *see, e.g., United States v. Firestack-Harvey*, No. 13-CR-  
12 0024-TOR, 2015 WL 3533222, at \*3 (E.D. Wash. June 4, 2015) (staying sentencing to allow  
13 parties adequate time to prepare). And the Local Rules expressly contemplate a sentencing  
14 continuance "based on the need for more time." LCrR 32(i)(1)(B). Here, Mr. Sanchez has  
15 demonstrated good cause for an additional continuance because counsel needs more time to obtain  
16 and review the McNeil Island treatment records. The Court finds that the interests of the public  
17 and Mr. Sanchez in a more immediate sentencing are outweighed by the ends of justice.

18 Finding good cause, the Court CONTINUES sentencing to November 15, 2023 at 2:00  
19 p.m.

20 Dated this 8th day of September, 2023.

21 

22 Lauren King  
23 United States District Judge  
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